

REMARKS

This is response to the Office Action mailed May 18, 2006.

Claims 1 through 8 are currently pending in the application, of which claims 1 through 5 are currently under examination.

Claims 6 through 8 are withdrawn from consideration as being drawn to a non-elected invention.

Claims 1 through 5 stand rejected.

Applicants have amended claim 1, and respectfully request reconsideration of the application as amended herein.

35 U.S.C. § 112 Claim Rejections

Claims 1 through 5 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants have amended the claimed invention to contain subject matter which is described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Therefore, presently amended claims 1 through 5 are allowable under the provisions of 35 U.S.C. § 112.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on Corbett et. al. (U.S. Patent 4,899,107), in view of Elder et al. (U.S. Patent 5,123,850)

Claims 1 through 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Corbett et al. (U.S. Patent 4,899,107) in view of Elder et al. (U.S. Patent 5,123,850). Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants assert that to establish a *prima facie* case of obviousness under 35 U.S.C. §

103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure.

Turning to the Corbett et al. reference, the Corbett et al. reference illustrates the use of dowels 27 as alignment devices in a burn-in/test fixture for individual single semiconductor die which includes a die cavity plate 11 and probe plate 12.

The Elder et al. reference illustrates the use of a probe head for the burn-in testing of a single semiconductor die. At best, the Elder et al. reference merely states that the probe head could be configured to a plurality of semiconductor die, a complete semiconductor wafer, or to the contact pads of a hybrid device. Elder contains no disclosure whatsoever as to how the Elder et al. probe head could be modified for testing such devices.

Applicants submit that the proposed combination of the cited prior art does not establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed invention because there is no suggestion for any modification of the Corbett et al. reference either in the cited prior art or the knowledge generally available to one of ordinary skill, there can be no showing of success for any modification of the Corbett et al. reference, the cited prior art does not teach or suggest all the limitations of the presently claimed invention, and any rejection of the claimed invention based on the cited prior art would be a hindsight reconstruction of the claimed invention based solely upon the Applicants' disclosure, not the cited prior art.

First, Applicants submit that there is no suggestion in the cited prior art or the knowledge generally available for any modification of the Corbett et al. burn-in test fixture for a single die to be modified such that it is a fixture to test a wafer having many dice in any orientation. The Elder et al. reference contains no such information as to how a test device for a single semiconductor die can be modified for testing a wafer. Elder et al. leaves to speculation as to how such single semiconductor die test apparatus probe head may be modified.

Therefore, Applicants submit that the cited prior art cannot establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed invention. Accordingly, claims 1 through 5 are allowable.

Second, Applicants submit that there has been and cannot be any showing of success to establish a *prima facie* case of obviousness regarding the presently claimed invention for any modification of the Corbett et al. burn-in test fixture for the testing of a wafer because neither the Corbett et al. reference nor the Elder et al. reference contain any disclosure whatsoever concerning any such modification. Again, such is merely speculation on the part of an individual.

Therefore, Applicants submit that the cited prior art cannot establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed invention. Accordingly, claims 1 through 5 are allowable.

Third, Applicants submit that the combination of the cited prior art does not and cannot establish a *prima facie* obviousness under 35 U.S.C. § 103 because the proposed combination of the cited prior does not teach or suggest all the claim limitations of the presently claimed invention. Applicants submit that the cited prior art does not teach or suggest such claim limitations calling for Aa first rigid support member for receiving a plurality of semiconductor dice in wafer form having a predetermined orientation, the first rigid support member having a plurality of contact members thereon and having a plurality of electrical connectors connected to the contact members for establishing communication with test circuitry”, “a second support member for selectively engaging the first rigid support member to retain the plurality of semiconductor dice in wafer form therebetween, one of the first rigid support member and the second support member including a single cavity for retaining the plurality of semiconductor dice in wafer form therein during testing”, and “a single biasing assembly including a single floating platform of a preselected area substantially sized for the single cavity, the single biasing assembly mounted to one of the first rigid support member and second support member, the single biasing assembly sized for uniformly biasing the plurality of semiconductor dice in wafer form against the contact members”.

Applicants assert that the cited prior art teaches or suggests nothing with respect to the testing of a wafer whatsoever. Any such teaching or suggestion from the cited prior art is merely speculation and guessing.

Therefore, Applicants submit that the cited prior art cannot establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed invention. Accordingly, claims 1 through 5 are allowable.

Finally, Applicants assert that any rejection of the claimed invention based upon the proposed combination of the cited prior art is a hindsight reconstruction of the claimed invention based solely upon Applicants' disclosure, not the cited prior art. Such a hindsight reconstruction is evidenced from the cited prior art by the fact that neither reference individually nor in any combination illustrates the testing of a wafer whatsoever. Such a hindsight reconstruction of the claimed invention is neither within the ambit nor purview of 35 U.S.C. § 103 and, clearly, improper.

Therefore, Applicants submit that the cited prior art cannot establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed invention. Accordingly, claims 1 through 5 are allowable.

Applicants assert that claims 1 through 5 are clearly allowable over the cited prior art for the reasons set forth herein.

Applicants request the allowance of claims 1 through 5 and the case passed for issue.

Respectfully submitted,



James R. Duzan
Registration No. 28,393
Attorney for Applicants
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: August 16, 2006
JRD/dn:lmh
Document in ProLaw